

U.S. Patent Application Serial No. 10/812,091
Amendment filed February 27, 2006
Reply to OA dated November 29, 2005

REMARKS

Claim 6 has been amended in order to more particularly point out, and distinctly claim the subject matter to which the applicant regards as his invention. The applicant respectfully submits that no new matter has been added. It is believed that this Amendment is fully responsive to the Office Action dated November 29, 2005.

Claims 1 - 8 are currently pending in this patent application, claims 1, 6 and 8 being independent claims.

At the outset, the applicant thanks the Examiner for now indicating that claims 1- 5 and 8 have been allowed (item 4, page 3 of the outstanding Action).

However, as to the remaining claims 6 and 7, these claims are rejected under 35 USC 102(a) based on "Applicant's admitted prior art" (hereinafter, "APPA"). The applicant respectfully requests reconsideration of this rejection.

The applicant's claimed switching power supply circuit, as now recited in independent claim 6, includes a switching element provided with a source terminal, a drain terminal and a gate terminal; a power supply source connected to the source terminal; a load connected to the drain terminal; a control circuit connected to the gate terminal; and an inductor disposed in a current path from the drain terminal to the load. The claimed switching power supply circuit, now set forth in claim 6, further includes a first current detection resistor for detecting a current flowing from the source terminal to the drain terminal; a first comparator connected to the first current detection resistor; a second current detection resistor disposed in a current path from the drain terminal to the ground terminal; and a second comparator connected to the second current detection resistor.

A significant structural arrangement, as now set forth in independent claim 6, includes the claimed first current detection resistor for detecting a current flowing from the source terminal to the drain terminal. Additional significant structural arrangements of the applicant's claimed invention, as now recited in claim 6, include the claimed first comparator connected to the first current detection resistor; the claimed second current detection resistor disposed in a current path from the drain terminal to the ground terminal; and the claimed second comparator connected to the second current detection resistor.

The Examiner has relied on Figure 9 in this application, and has taken the position that the claimed first current detection resistor in claim 6 corresponds to the resistors 70, 80 illustrated in Figure 9, and that the claimed second current detection resistor in claim 6 corresponds to the point of contact that detects I-H shown in Figure 9.

The applicant submits, however, that the claimed first current detection resistor in claim 6 does not correspond to the resistors 70, 80 shown in Figure 9, and that the claimed second current detection resistor in claim 6 does not correspond to the point of contact that detects I-H in Figure 9.

The applicant's claimed first current detection resistor is provided in the "overcurrent protection circuit," as shown in the applicant's Figure 1, 4 and 9, etc. More particularly, such claimed first current detection resistor corresponds to the resistor R1 illustrated in the applicants' Figure 11, and the claimed second current detection resistor corresponds to the resistor 90 shown in the applicants' Figures 1 and 2.

The applicant's claimed switching power supply circuit, as now recited in claim 6, further includes the claimed structural arrangement for detecting the current I-H from an output of the first comparator (comparator CO in the applicant's Figure 11) connected with the first current detection resistor, and the claimed structural arrangement for detecting the current I-L from an output of the

U.S. Patent Application Serial No. 10/812,091
Amendment filed February 27, 2006
Reply to OA dated November 29, 2005

second comparator (operational amp 231 in the applicant's Figure 2) connected with the second current detection resistor.

On the other hand, the conventional device shown in Figure 9 does not teach the applicant's claimed second current detection resistor and the claimed second comparator, as recited in claim 6.

In addition, the resistors 70, 80 shown in Figure 9 are for detecting an output voltage (a voltage applied to a load), and not for detecting the current I-L, unlike the applicant's claimed second current detection resistor.

In view of the above, the applicant respectfully submits that not all of the claimed elements, as now set forth in independent claim 6, are found in exactly the same situation and united in the same way to perform the identical function in the device shown in Figure 9. Thus, there can be no anticipation of the applicant's claimed invention, as now set forth in claim 6, based on the teachings of Figure 9.

Furthermore, claim 7 depends on claim 6, and further limits the scope of claim 6. Thus, at least for the reasons set forth above with respect to claim 6, claim 7 should now be similarly allowable.

U.S. Patent Application Serial No. 10/812,091
Amendment filed February 27, 2006
Reply to OA dated November 29, 2005

In view of the above, the withdrawal of the outstanding anticipation rejection under 35 USC 102(a) based on APPA is in order, and is therefore respectfully solicited.

In view of the aforementioned amendments and accompanying remarks, claims, as amended, are in condition for allowance, which action, at an early date, is requested.

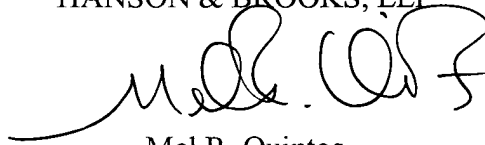
If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact the applicant's undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

U.S. Patent Application Serial No. 10/812,091
Amendment filed February 27, 2006
Reply to OA dated November 29, 2005

In the event that this paper is not timely filed, the applicant respectfully petitions for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

ARMSTRONG, KRATZ, QUINTOS,
HANSON & BROOKS, LLP



Mel R. Quintos
Attorney for Applicant
Reg. No. 31,898

MRQ/lrj/ipc

Atty. Docket No. **040160**
Suite 1000
1725 K Street, N.W.
Washington, D.C. 20006
(202) 659-2930



23850

PATENT TRADEMARK OFFICE